

(6) The performance data for each test required in the applicable subpart, including a description of each failure.

(7) A description or photographs of the procedures and apparatus used in the inspections or tests, or a reference to another document that contains an appropriate description or photographs.

(8) At least one photograph that shows an overall view of the equipment or material submitted for approval and other photographs that show—

- (i) Design details; and
- (ii) Each occurrence of damage or deformation to the equipment or material that occurred during the approval tests.

(b) Each inspection or test report must bear an attestation that the inspections or tests were conducted as required by the applicable subpart and that the report contains no known errors, omissions, or false statements. The attestation must be signed by:

(1) The manufacturer or manufacturer's representative, if the inspection or tests are conducted by the manufacturer; or

(2) The chief officer of the laboratory, or the chief officer's representative, if the inspection or tests were conducted by an independent laboratory.

NOTE: A false representation on a report is a ground for suspension or withdrawal of approval of the equipment or material. A false representation is also punishable as a crime under 18 U.S.C. 1001.

§ 159.005-12 Plans.

(a) Each set of plans under § 159.005-9(a)(5)(ii) for equipment must include the following:

(1) An assembly drawing or general arrangement drawing.

(2) A description of each component of the equipment that includes the name, the manufacturer, and the part identification of each component in—

- (i) A detail drawing;
- (ii) A bill of material or parts list; or
- (iii) A specification for that component.

(3) A list of the drawings and specifications in the set of plans, including each revision, and the date of that list.

(4) If a manufacturer's instructions or manual is required in the applicable

subpart, a copy of the instructions or manual.

(b) [Reserved]

§ 159.005-13 Equipment or material: Approval.

(a) If from analysis of the material and data required to be submitted under this subpart, the Commandant determines that the equipment or material meets the applicable subpart or has equivalent performance characteristics in accordance with § 159.005-7(c), the Commandant—

(1) Approves the equipment or material;

(2) Issues a certificate of approval to the manufacturer under § 2.75-5 of this chapter;

(3) Retains one set of approved plans and returns all others to the manufacturer; and

(4) Publishes a record of the approval in "Equipment Lists." The most recent edition of "Equipment Lists" U.S. Coast Guard Publication M16714.3 (series) is available from the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 371954, Pittsburgh, PA 15250-7954.

(b) If from analysis of the material and data submitted the Commandant determines that the equipment or material does not meet the applicable subpart, the Commandant informs the manufacturer of the reason why that equipment or material does not meet the subpart.

(c) If an independent laboratory performs the approval inspections or tests, the Commandant will notify the laboratory of the actions taken under paragraph (a) or (b) of this section, unless the manufacturer specifically requests that the laboratory not be notified.

[44 FR 73043, Dec. 17, 1979, as amended by CGD 93-055, 61 FR 13928, Mar. 28, 1996; CGD 85-205, 62 FR 25545, May 9, 1997]

§ 159.005-15 Approval of equipment or material: Suspensions, withdrawals, and terminations.

(a) The Commandant suspends an approval issued under this subchapter in accordance with § 2.75-40 of this chapter, withdraws an approval issued under this subchapter in accordance with § 2.75-50(a) of this chapter, and

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terminates an approval issued under this subchapter in accordance with § 2.75-50(b) of this chapter.

(b) [Reserved]

Subpart 159.007—Production Inspection and Tests of Approved Equipment and Materials

§ 159.007-1 Purpose.

(a) This subpart contains the procedures under which production inspections and tests of approved equipment or materials are to be performed under this subchapter.

(b) [Reserved]

§ 159.007-3 Production inspections and tests: Independent laboratory's procedures.

(a) The manufacturer may follow an independent laboratory's procedures for production inspections and tests if those procedures—

(1) Meet or exceed the production inspection and test requirements of the applicable subpart or are equivalent to those inspections and tests;

(2) Include labeling or marking the equipment or material when the equipment or material meets the inspection and test procedures of the laboratory; and

(3) Are accepted by the Commandant under § 159.007-7(b).

(b) [Reserved]

§ 159.007-5 Production inspections and tests: Application for acceptance.

(a) If the applicable subpart requires production inspections and tests by an independent laboratory, the manufacturer must select a laboratory and submit an application for acceptance that meets § 159.010-5(a) unless the laboratory—

(1) Is listed in the subpart; or

(2) Is accepted by the Commandant for approval inspections and tests of the equipment or material under § 159.005-7(a)(1).

(b) If the manufacturer wants to follow the laboratory's procedures for production inspections and tests instead of meeting the Coast Guard procedures under this subchapter, the application must contain a description of those procedures.

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§ 159.007-7 Application for acceptance for production inspections and tests: Coast Guard action.

(a) From the information submitted with the application, the Commandant determines whether or not the laboratory is accepted for production inspections and tests. The Commandant informs the manufacturer of the results of this determination, if the Commandant does not accept a laboratory, the reason for the disapproval will be given.

(b) From the description of the laboratory's procedures for production inspections and tests, the Commandant determines whether or not those procedures are accepted. The Commandant informs the manufacturer of the results of this determination. If the Commandant does not accept the laboratory's procedures, the reasons why they are not accepted will be given.

§ 159.007-9 Production inspections and tests.

(a) If the applicable subpart requires the production inspections and tests to be performed or supervised by an independent laboratory, the manufacturer shall insure that all required production inspections and tests are performed or supervised by an independent laboratory accepted by the Commandant.

(b) If the applicable subpart does not require an independent laboratory to perform the production inspections and tests, the manufacturer shall have those inspections and tests performed.

(c) Unless alternative procedures have been accepted by the Commandant under § 159.007-3 each production inspection and test must be performed or supervised in accordance with the applicable subpart.

(d) The manufacturer shall admit a Coast Guard inspector to any place where approved equipment is manufactured, for the purpose of verifying that the equipment is being manufactured in accordance with the approved plans and the requirements of this subchapter.

[44 FR 73043, Dec. 17, 1979, as amended by CGD 85-205, 62 FR 25545, May 9, 1997]